

16PH
04-08-03
AF/1634
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cantor *et al.*

Serial No.: 09/880,988

Confirmation No.: 5954

Filed: : June 13, 2001

For: *USE OF NUCLEOTIDE ANALOGS IN
THE ANALYSIS OF OLIGONUCLEOTIDE
MIXTURES AND IN HIGHLY
MULTIPLEXED NUCLEIC ACID
SEQUENCING*

Art Unit: 1634

Examiner: Chakrabarti, Arun K.



CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV175671183 US

Date of Deposit April 4, 2003

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents,
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

04/04/03

Date

Jonathan Ong

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Transmitted herewith are an Amendment in response to the Office Action mailed October 4, 2002, and a check for \$465.00 for a three-month extension of time by a small entity, for filing in connection with the above-identified application. If a Petition for extension of time is needed, this paper is to be considered such Petition.

- ☒ The Commissioner is hereby authorized to charge this fee and any fees, including the fee for the extension of time, if the above noted amount is incorrect, that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 50-1213 (or Deposit Account No. 08-1641). A duplicate of this sheet is enclosed.

04/10/2003 CNGUYEN 00000114 09880988

01 FC:2253

465.00 OP

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

Stephanie Seidman
Stephanie Seidman
Reg. No. 33,779

Attorney Dkt. No. 25491-2408
Address all correspondence to:
Stephanie Seidman, Esq.
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, CA 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
EMAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cantor *et al.*

Serial No.: 09/880,988

Confirmation No.: 5954

Filed: June 13, 2001

For: *USE OF NUCLEOTIDE ANALOGS IN THE
ANALYSIS OF OLIGONUCLEOTIDE
MIXTURES AND IN HIGHLY MULTIPLEXED
NUCLEIC ACID SEQUENCING*

Art Unit: 1634

Examiner: Chakrabarti, Arun K.



CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV175671183US

Date of Deposit April 4, 2003

I hereby certify that this paper and the attached papers are being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and addressed to:

Commissioner for Patents,
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

04/04/03

Date


Jonathan Ong

AMENDMENT

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Responsive to the Office Action mailed October 4, 2002, entry of the following Amendment and consideration of the following Remarks are respectfully requested.

IN THE CLAIMS:

Please replace claims 5 and 28 with the following amended claims:

5. (Amended) A method for identifying nucleotides at one or more base positions in a plurality of target nucleic acid molecules, comprising:
synthesizing extension products of the target nucleic acid in the presence of chain terminating nucleotides and mass-matched nucleotides;
determining the mass of each extension product; and
calculating a mass shift from a period for the mass of each extension product,

whereby the nucleotides in the target nucleic acid molecules are identified by determining the nucleotide that corresponds to each mass shift.